

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

38

February 24, 2004

FROM: Thomas L. Sutton, Interim Director
Special Districts Department

**SUBJECT: RFP FOR SERVICES TO PREPARE AND MAINTAIN MANDATORY
REGULATORY COMPLIANCE FOR ALL BOARD GOVERNED SPECIAL
DISTRICTS, COUNTY SERVICE AREAS AND THEIR IMPROVEMENT ZONES
THAT PROVIDE WATER AND SEWER SERVICE.**

RECOMMENDATION: Acting as the governing body for all Board-Governed Special Districts, County Service Areas, Improvement Zones and Districts providing water and sewer services, approve the Request for Proposal (RFP) to solicit proposals from qualified Contractors to prepare regulatory compliance documents for various regulatory mandated agencies in connection with water and sewer Districts; authorize the Special Districts Department to release the Request for Proposal.

BACKGROUND INFORMATION: The California Accidental Release Prevention (CalARP) Program is a merging of the federal and state programs for the prevention of accidental release of regulated toxic and flammable substances. Any business that has more than a threshold quantity of a regulated substance in a process is covered. Pursuant to Health and Safety Code, Sections 255341 – 25543.3, the State of California Office of Emergency Services (OES) was required to adopt implementing regulations and to seek and maintain delegation of the federal program. The goal is to eliminate the need for two separate and distinct chemical risk management programs. The OES developed emergency regulations with the assistance of a work group representing the environment, industry and government.

The regulations incorporated elements of the Federal Accidental Release Prevention Program (Federal law under the Clean Air Act 112r and Title 40 of the Code of Federal Regulations Part 68) (aka Risk Management Program) into state regulations (California state law under Chapter 6.95, Article 2 of the California Health & Safety Code § 25531 through 25543.3. The final regulations and rulemaking file were approved on November 16, 1998, and revised on October 10, 2002. At a minimum, the Hazard Operability Study (HazOp) and off-site consequence analysis must be reviewed and updated as necessary every five years, reviewed annually, reviewed and updated prior to handling another regulated substance, within 30 days of any change, or within 30 days of a change that alters the Program Level that applies to a covered process.

	<p>Record of Action of the Board of Supervisors</p>
--	--

38

The Special Districts Department on behalf of County Service Areas, 42(Oro Grande), 53B(Fawnskin), 64(Spring Valley), 79(Green Valley), 82(Trona); CSA 70; Improvement Zones B & C(Silver Lakes), F(Morongo Valley), J(Oak Hills), L(Pinon Hills), S3(Lytte Creek), SP2(High Country), W-1(Landers), W-3(Morongo Valley), W-4(Pioneertown), and the Crestline Sanitation District, require scheduled and emergency on-call services to prepare regulatory compliance documents. Compliance documents are prepared for California Accidental Release Prevention Program (CALARP), Certified Unified Program Agency (CUPA), Occupational Safety & Health Act (OSHA), Risk Management Plan (RMP), and Process Safety Management (PSM). Scheduled services consist of reviewing, updating and modifying documents on a regular basis. Emergency on-call services would provide a contract consultant if CUPA or other agency would require an inspection or audit.

The Special Districts Department, Water and Sanitation Division office in Victorville directs the operational functions of nine (9) water districts and nine (9) sanitation districts. The Division maintains forty-nine (49) water wells, sixty-two (62) reservoirs, with a combined storage capacity of 15,051,000 gallons, 538 miles of water lines and appropriate booster stations. Also maintained are two (2) sewage treatment plants with a combined treatment capacity of 1.360 MGD (million gallons per day), two (2) septic treatment systems, five (5) collection systems, fifteen (15) sewage lift stations and 152.95 miles of sewage collection service lines. Crestline Sanitation District operates and maintains three (3) Wastewater Treatment Plants with a combined treatment capacity of 1.4 MGD (million gallons per day). The collection system includes three (3) lift stations and 90 miles of sewage collection system.

This action will approve the Request for Proposal for the preparation of regulatory compliance documents in connection with water and sewer districts, and authorizes the Department to release it for advertisement of solicitations.

REVIEW AND APPROVAL BY OTHERS: This action has been reviewed and approved by County Counsel (L. Thomas Krahelski, 387-5436) on January 30, 2004, and by County Administrative Office (Wayne Thies, 387-5409) on January 30, 2004.

FINANCIAL IMPACT: Costs of the contract will not exceed an aggregate total amount of \$200,000 per year for a contract period not to exceed 3 years. Funds are budgeted within the individual district operating accounts, and all costs will be billed per the approved fee schedule with district staff approval.

SUPERVISORIAL DISTRICT(S): All

PRESENTER: THOMAS L. SUTTON 387-5967